

REMARKS

Claims 1 to 58 were presented by Applicants. Claims 30-35 were previously withdrawn. Claims 1, 4-7, 9-11, 13-15, 18-22, 24-29, 36-39, and 41-50 are amended. Claims 12 and 40 are canceled. Claims 59-60 are added. No new matter is being added.

The Examiner rejected claims 1-5, 7, 10-11, 13, 15-19, 22, 25-26 and 19 under 35 U.S.C. 102(e) as being anticipated by Kato et al. (Kato).

Claim 1 as amended recites:

A method for obtaining data in a mobile telecommunications network, the network including a plurality of mobile units and a plurality of base units, the method comprising:

- initiating an application using a data channel of the mobile telecommunications network;
- receiving audible input spoken by a user over a voice channel of the mobile telecommunications network;
- converting the audible input to application data; and
- providing the application data to the application.

The claimed invention enables an application to obtain data from audible input provided over a voice channel of a mobile telecommunications network. This allows a user to speak information, for example, about her current location, and to have that information converted into data that can then be used by an application to provide location-based services.

Kato does not disclose the claimed invention. Kato recites a route search and navigation system that uses VICS data to provide re-routing instructions, for example in the case of a detour. Nowhere does Kato disclose "receiving audible input spoken by a user over a voice channel of the mobile communications

network" and "converting the audible input to application data," as claimed. The portions of Kato identified by the Examiner at best suggest that a user could provide voice commands to an in-car navigation system. (See Kato, col. 23, line 66 – col. 4, line 1.) Kato does not disclose or suggest that the user speaks audible input over a voice channel of a mobile telecommunications network; nor is an application initiated using a data channel of a mobile telecommunications network.

Kato further recites a "cellular phone, telephone communication link, or the like," which can be used as a data transceiver. (See Kato, col. 7, lines 17-36). However, this also does not teach any of the claimed steps of receiving audible input over a voice channel, converting the audible input to application data and providing the application data to an application. Accordingly, claim 1 is patentable over Kato. Dependent claims 2-9 and 36-38 depend from claim 1 and thus derive patentability both from their dependence from claim 1 as well as from reciting their own patentable features. The rejection of those claims should therefore be withdrawn.

Claim 10 as amended recites:

A method of refining a location using a voice channel in a telecommunications network, the method comprising the steps of:
loading a first data file corresponding to a first set of localities;
comparing a first audible input received using the voice channel of the telecommunications network to the first data file to determine a first selected locality; and
loading a second data file corresponding to a second set of localities, wherein each of the localities in the second set are geographically located within the selected locality.

Again, Kato does not disclose the invention of claim 10. Kato does not teach comparing audible input received using a voice channel of a telecommunications network with a data file to determine a selected locality. The portion of Kato cited by the Examiner only recites that a computer system in Kato can compare information identifying an impedance to travel with a present guidance route, which is unrelated to the claimed features of comparing audible input received over a voice channel of a mobile telecommunications network with a data file to determine a selected locality. (See Kato, col. 4, lines 36-43.) Kato also does not disclose loading a second data file corresponding to a second set of localities in which each locality is located within the selected locality. The cited portion of Kato merely discloses that road data exists in a map data file and that information retrieved can be limited to a desired local area. (See Kato, col. 11, lines 43-46; col. 1, lines 61-63.) Therefore, Kato does not anticipate claim 10. Dependent claims 11, 13-14, 39 and 41-42 are also patentable over Kato, both because they depend from patentable claim 10 and because each recites its own patentable features.

Independent claim 15 and its dependent claims 16-24 and 43-46 are patentable over Kato for reasons analogous to claim 1. Independent claim 25 and its dependent claims 26-29 and 47-50 are patentable over Kato for reasons analogous to claim 10.

The Examiner rejected claims 51-53 and 55-57 under 35 U.S.C. 102(e) as being anticipated by Class et al. (Class). Claim 51 recites:

- A method of determining a location, comprising the steps of:
- (1) loading a first data file comprising state information;
 - (2) receiving a first audible input from a user;
 - (3) comparing the first audible input to the first data file to determine a selected state;

- (4) loading a second data file comprising a plurality of cities, wherein each city is geographically located at least partially in the selected state.

The claimed invention enables a location to be determined by receiving an audible input from a user, comparing the input to a first data file to determine a state, and loading a second data file comprising cities in the selected state. One advantage of the claimed invention is that memory is used efficiently by not loading cities located in states other than the selected state.

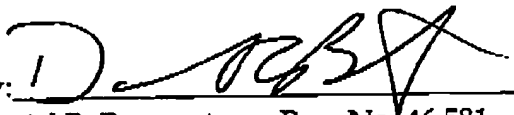
Class describes a method for using verbal input to specify a destination to a navigation system. Unlike the claimed invention, Class loads an entire basic vocabulary from the start, and does not load more specific data files in turn, as claimed. For example, Table 2 at col. 17, lines 28-50 indicates that an ambiguity can result from Class' system, such as when "Neunkirchen was found 18 times in 6 states." As Class itself says, "in order to resolve the ambiguity, additional interrogation criteria must be employed." Thus, far from anticipating the claimed invention, which loads more specific data files into memory as needed, Class actually teaches away from it, by initially loading all of the lexicons into memory. Claim 51 is therefore patentable over Class. Dependent claims 52-54 are also patentable because of their dependence from claim 51 and because each recites its own patentable features.

Independent claim 55 and its dependent claims 56-58 are patentable over Class for reasons analogous to claim 51.

If any matters remain outstanding prior to allowance of the claims, the Examiner is invited to contact the undersigned attorney at (415) 875-2358 or via e-mail at dbrownstone@fenwick.com. Applicants acknowledge that a copy of any electronic mail communications will be made of record in the application file per MPEP § 502.03.

Respectfully submitted,
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